

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RIETH-RILEY CONSTRUCTION CO.,
INC.

Employer

and

Case 07-RD-257830

RAYALAN KENT

Petitioner

and

LOCAL 324, INTERNATIONAL UNION OF
OPERATING ENGINEERS (IUOE), AFL-CIO

Union

ORDER

The Petitioner's and Employer's Requests for Review of the Acting Regional Director's determination to hold the petition in abeyance are denied as they raise no substantial issues warranting review.¹

JOHN F. RING,

CHAIRMAN

MARVIN E. KAPLAN,

MEMBER

WILLIAM J. EMANUEL,

MEMBER

Dated, Washington, D.C., June 8, 2020.

¹ In denying review, we find that the Acting Regional Director's decision to hold the petition in abeyance was permissible under the representation-case procedures currently in effect, although we note that the Acting Regional Director's letter to the parties inaccurately referenced the charge in Case 07-CA-256735, which was withdrawn the day before the blocking determination issued. We observe, however, that the Acting Regional Director's decision in this regard raises many of the concerns that led the Board to recently adopt changes to the blocking charge policy. See 85 Fed. Reg. 18366 (Apr. 1, 2020). Those amendments are not effective until July 31, 2020, however. 85 Fed. Reg. 20156 (Apr. 10, 2020).